

(B) That involved the carrying, possession, or use of a firearm or other dangerous weapon or explosives (including any explosive material or explosive device), or

(C) That by its nature or conduct, presents a serious potential risk of physical force against the person or property of another, or

(D) That by its nature or conduct involves sexual abuse offenses committed upon children.

(2) An inmate who had successfully completed a Bureau of Prisons residential drug abuse treatment program before October 1, 1989 is otherwise eligible if:

(i) Staff confirm that the completed program matches the treatment required by statute;

(ii) The inmate signs an agreement acknowledging his/her program responsibility;

(iii) The inmate completes a refresher treatment program and all applicable transitional services programs in a community-based program (i.e., in a Community Corrections Center or on home confinement); and

(iv) Since completion of the program, the inmate has not been found to have committed a 100 level prohibited act and has not been found to have committed a prohibited act involving alcohol or drugs.

(3) An inmate who has successfully completed a Bureau of Prisons residential drug abuse treatment program on or after October 1, 1989 is otherwise eligible if:

(i) The inmate completes all applicable transitional services programs in a community-based program (i.e., in a Community Corrections Center or on home confinement); and

(ii) Since completion of the program, the inmate has not been found to have committed a 100 level prohibited act and has not been found to have committed a prohibited act involving alcohol or drugs.

(b) *Application*—(1) *Inmates currently enrolled.* Eligible inmates currently enrolled in a residential drug abuse treatment program shall automatically be considered for early release.

(2) *Inmates who had previously completed program requirements.* Eligible inmates who have previously completed a

residential drug abuse treatment program (or which matches the treatment required by statute) must notify the institution's drug abuse program coordinator via a Request to Staff in order to be considered for early release.

(c) *Length of reduction.* (1) Except as specified in paragraphs (c)(2) and (3) of this section, an inmate who is approved for early release may receive a reduction of up to 12 months.

(2) If the inmate has less than 12 months to serve after completion of all required transitional services, the amount of reduction may not exceed the amount of time left on service of sentence.

(3) If the inmate cannot fulfill his or her community-based treatment obligations by the presumptive release date, the Community Corrections Regional Administrator may adjust the presumptive release date by the minimum amount of time necessary to allow for fulfillment of the treatment obligations.

[60 FR 27695, May 25, 1995, as amended at 61 FR 25122, May 17, 1996; 62 FR 53691, Oct. 15, 1997]

§ 550.59 Transitional drug treatment services.

Transitional treatment programming is required for all inmates completing an institution's residential treatment program. Transitional treatment includes treatment provided to inmates who, upon completing the residential program, return to the general population of that or another institution or who are transferred to a community-based program. An inmate's refusal to participate in this program is considered a program failure and disqualifies the inmate for any additional incentives consideration, and may result in the inmate's redesignation.

(a) An inmate who successfully completes a residential drug abuse program and who participates in transitional treatment programming at an institution is required to participate in such programming for a minimum of one hour per month.

(b) An inmate who successfully completes a residential drug abuse program and who, based on eligibility, is transferred to a Community Corrections Center (CCC), is required to participate

Bureau of Prisons, Justice

Pt. 551

in a community-based treatment program, in addition to the required employment and other program activities of the CCC. The inmate's failure to meet the requirements of treatment may result in the inmate's being returned to the institution for refusing a program assignment.

(c) An inmate with a documented drug abuse problem but who did not choose to volunteer for the residential drug abuse program may be required to participate in transitional services as a condition of participation in a community-based program with the approval of the transitional services manager.

[60 FR 27694, May 25, 1995]

§ 550.60 Inmate appeals.

(a) Administrative remedy procedures for the formal review of a complaint relating to any aspect of an inmate's confinement (including the operation of the drug abuse treatment programs) are contained in 28 CFR part 542, subpart B.

(b) In order to expedite staff response, an inmate who has previously been found to be eligible for early release must, when filing an administrative remedy request pursuant to 28 part CFR 542, subpart B on an action which would result in the inmate's loss of early release eligibility, indicate in the first sentence of the request that the request affects the inmate's early release.

[60 FR 27695, May 25, 1995]

PART 551—MISCELLANEOUS

Subpart A—Grooming

Sec.

- 551.1 Policy.
- 551.2 Mustaches and beards.
- 551.3 Hairpieces.
- 551.4 Hair length.
- 551.5 Restrictions and exceptions.
- 551.6 Personal hygiene.
- 551.7 Bathing and clothing.

Subpart B—Marriages of Inmates

- 551.10 Purpose and scope.
- 551.11 Authority to approve a marriage.
- 551.12 Eligibility to marry.
- 551.13 Application to marry.
- 551.14 Special circumstances.
- 551.15 Furloughs.

- 551.16 Marriage ceremony in the institution.

Subpart C—Birth Control, Pregnancy, Child Placement, and Abortion

- 551.20 Purpose and scope.
- 551.21 Birth control.
- 551.22 Pregnancy.
- 551.23 Abortion.
- 551.24 Child placement.

Subpart D—Inmate Organizations

- 551.30 Purpose and scope.
- 551.31 Approval of an organization.
- 551.32 Staff supervision.
- 551.33 Dues.
- 551.34 Organization activities.
- 551.35 Withdrawal of approval of an organization.
- 551.36 Funding.

Subpart E—Inmate Contributions

- 551.50 Policy.

Subpart F—Volunteer Community Service Projects

- 551.60 Volunteer community service projects.

Subpart G—Administering of Polygraph Test

- 551.70 Purpose and scope.
- 551.71 Procedures.

Subpart H—Inmate Manuscripts

- 551.80 Definition.
- 551.81 Manuscript preparation.
- 551.82 Mailing inmate manuscripts.
- 551.83 Limitations on an inmate's accumulation of manuscript material.

Subpart I—Non-Discrimination Toward Inmates

- 551.90 Policy.

Subpart J—Pretrial Inmates

- 551.100 Purpose and scope.
- 551.101 Definitions.
- 551.102 Commitment prior to arraignment.
- 551.103 Procedure for admission.
- 551.104 Housing.
- 551.105 Custody.
- 551.106 Institutional employment.
- 551.107 Pretrial inmate reviews.
- 551.108 Performance pay.
- 551.109 Community activities.
- 551.110 Religious programs.
- 551.111 Marriage.
- 551.112 Education.
- 551.113 Counseling.